BEST AVAILABLE COPY

AMENDMENT UNDER 37 C.F.R. § 1.312(a) Serial Number: 09/967138 Filing Date: September 28, 2001 Title: FLUID EJECTION DEVICE

Page 7 Dkt: 1683.068US1

REMARKS

Claims 23, 38 and 45 are amended. Claims 9-11, 13 and 20-46 are currently pending. It is respectfully submitted that these changes do not introduce new matter, and the claims are allowable without further search or consideration. Therefore, entry is appropriate under Rule 312, and is respectfully requested.

Respectfully submitted,

DENNIS W. TOM ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

P.O. Box 2938

Minneapolis, MN 55402

(352) 373-8804

Date Ouno 2, 2004

3y

Lucinda G. Price

Reg. No. 42,270

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 2004.

Name

Signature